

S/N: 09/852,281

Attorney Docket: YOR920010355US1

**REMARKS**

Entry of this Amendment is proper under 37 CFR §1.116, since no new claims or issues are presented, and the only claim amendments address typographical errors. Moreover, since the Examiner remains confused as to the fundamental significance of Eisenstein, it is necessary that the Examiner place the rejection currently of record into condition for Appeal. As explained below, Applicants submit that the responses in the Office Action dated February 23, 2004, are non-substantive diversions away from the fundamental issue, which is that Eisenstein discusses the author's perspective on fundamental modeling problems for user interfaces, but fails to describe a concrete embodiment of a device simulator, let alone a simulation techniques described by the claimed invention.

Claims 1-24 are all the claims presently pending in the application. Claims 3 and 5 are amended to correct minor typographical errors.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-11 and 15-24 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Eisenstein, et al. Claims 12-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Eisenstein, et al.

These rejections are respectfully traversed in the following discussion.

**I. THE CLAIMED INVENTION**

As described and claimed, for example by claim 1, the present invention is directed to a method for emulating on a single display platform an application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated,

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including combining a selected one or more of the device characteristics and a selected one of the application formal descriptions.

A simultaneous and consistent display representation for the selected application is provided, thereby providing a stylized rendering of the selected application's interface in a uniform appearance and in which the selected application's interface for a plurality of the target devices can selectively be viewed simultaneously.

Conventional methods, such as described in Eisenstein, fail to have either the stylized rendering or the ability to simultaneously view more than one target device at the same time.

An important advantage of the present invention is that an interface developer can view on one display screen the result of modifying software features for an application and see simultaneously the effects that each modification will cause for each target device. That is, there is no need to load a separate display application or a separate display window for seeing the effect on each target device, since the effects are shown simultaneously.

## II. THE PRIOR ART REJECTION

Applicants first submit that it appears that the Examiner remains confused as to the significance of the Eisenstein reference and that, therefore, the rejection currently of record, as reflected in the Office Action dated February 23, 2004, is falling into a rather meaningless discussion that has little or no relevance to the merits of the present invention.

That is, the Examiner seems to remain unaware that Eisenstein is a discussion of that author's views on basic modeling concepts for user interfaces (UIs). As such, it does not even teach a specific embodiment of any emulator, let alone the concept of the present invention in which a plurality of target devices can be simulated together on a single display device.

The closest that Eisenstein reasonably comes to a concrete embodiment is the suggestion in the middle of the left column of page 73: "*The abstractions can be structured into a hierarchy (fig. 4) that serves to expand modeling capabilities. We can use this hierarchy to construct an automated design tool that generates several platform-optimized presentation models from a starting presentation model that is platform independent. This tool could function by employing one of the redesign strategies described below....*"

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The Examiner does not seem to recognize that the diagrams and images illustrated in Eisenstein do not represent images of a simulation display. Rather, they are diagrams that either demonstrate basic modeling concepts discussed therein (e.g., Figures 2-5), show a desktop UI for a hypothetical software application the author calls MANNA (e.g., Figure 1), or show examples of display changes of actual hardware that demonstrate or support the author's modeling concepts (e.g., Figures 6 and 7). None of the figures of Eisenstein show a display of an actual simulator, let alone a simulator such as described by the claimed invention.

As such, the technique in the rejection currently of record, in which words are taken out of context from an article that does not even describe a simulation device or that does not even illustrate a display on a simulation device, is without merit in attempting to demonstrate the claimed invention and fails to meet the initial burden of a *prima facie* rejection.

However, in order to duly respond to the Examiner's comments, to make a good faith attempt to further prosecution, and to place the Application into condition for imminent Appeal, Applicants submit the following comments, remarks, and responses:

1. In Paragraph 2.b., the Examiner states: "*Applicants arguments are addressed to claims 1 and 2 only, while Applicants are silent on other independent Claims such as independent Claims 3, 5, 22, and 23.*"

In response, Applicants direct the Examiner's attention to the line on page 12 of the Amendment: "[Each of ]The remaining independent claims has at least one of these distinguishing features." (Words added for correction/clarity of the original sentence.)

Thus, it was Applicants' intent to state that the claimed invention has at least two key features described by claim 1 that clearly differentiate the present invention defined by the claims from the prior art of record: the ability to simultaneously present together on a single display screen the representation of multiple target devices; and the stylized rendering for each such target device. As such, there would be no need to address any other claims, once it is understood that Eisenstein does not teach, suggest, or even hint at the limitations of even the independent claims.

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As pointed out in the Introduction, Applicants maintain that the Examiner errs in attempting to use Eisenstein as a reference, since this reference does not illustrate representations of a UI on an embodied simulation device.

2. In the final two sentences of Paragraph 2 on page 2, the Examiner states: *"First of all, 'a method for emulating on a single display platform an application's user interface as it would appear on each of a number target devices' is in the claim preamble. The preamble is only to state a purpose or intended use for the invention".*

In response, Applicants submit that this statement makes little sense in the context of a patent claim rejection. The method to be evaluated is clearly stated in the claim limitations that follow the preamble. The final clause of the second limitation clearly requires that a plurality of target devices be selectively viewed simultaneously. The simple fact that the preamble contains similar language to one or more of the claim limitations does not cause the claim limitations to lose patentable weight.

3. In the first subparagraph on page 3, the Examiner states: *"The applicants' argument, 'Eisenstein fails to teach providing a simultaneous display for a plurality of target devices', fails to include to all independent Claims. For example, Claims 3, 5, 22, and 23 do not recite the limitation providing a simultaneous display."*

In response, Applicants submit that there is no intent to include this feature in all independent claims, since it is felt that this feature is only one of the various features of the present invention that is novel.

As is customary for patent claim construction, Applicants have carefully drafted claims that cover a number of aspects and features of the present invention, including a variety of different combinations of aspects and features and various scopes of coverage. Applicants did not intend to include this specific feature in each of the combinations described by the independent claims.

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4. In the second subparagraph on page 3, the Examiner states:

*"With regard to argument: 'styling representation' (or claim limitation is 'providing a style rendering'). Applicants broaden this limitation. As a result, it can be read by any browser's display. For example, Figure 6, page 74 and Figure 7, page 74, show style rendering. Moreover, see page 71, left column, line 2, 'stylistic choice' is the discussion of Eisenstein about styling representation."*

In response, Applicants submit that the Examiner again seems confused and traverse the above-recited position in its entirety.

First, as mentioned above, Figure 6 and Figure 7 of Eisenstein, illustrate physical hardware, not a simulated rendition, as the Examiner seems to consider. Second, the term "stylistic choice" in the second line of page is an entirely different concept from the usage in the present invention, since it is used to refer to the designer's choice of style for a specific device. Moreover, Applicants submit that the discussion in Eisenstein on resolution issues, beginning on the right side column of page 71 would not be considered as related to or reasonably suggesting the "stylized rendering" of the present invention, since there is no suggestion to intentionally reduce resolution to thereby hide details of the target devices' displays.

In contrast and as clearly described beginning at line 5 of page 8 of the specification, the term "stylized rendering" of, for example, claim 1, refers to the novel feature of the present invention in which the designer's "stylistic choices" (to use Eisenstein's term) is actually subdued in the present invention, in order to present a common representation of multiple target devices as presented together on single simulation display. In this respect, Eisenstein's term teaches against the concept of "stylized rendering" in which details of style are hidden.

Third, Applicants submit that one of ordinary skill in the art would not consider that the "stylized rendering" described on page 8 of the specification does not read on a browser, as alleged by the Examiner or that Applicants somehow "broaden" any concept, let alone the claim limitation, as alleged by the Examiner.

5. In the third through final subparagraphs on page 3, the Examiner states:

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*"With regard to argument as addressed by applicants to claim 1: 'Eisenstein fails to teach providing a simultaneous display for a plurality of target devices', where Applicants contend that Figure 2 represents only the concept of mapping and it does not relate in any way to a simultaneous viewing of the three target devices (Re: Remarks: Page 12, first full paragraph):*

*Examiner would direct Applicant to their limitation:*

*"Combining a selected one or more of said device characteristics and a selected one of said application formal descriptions; and*

*providing a simultaneous and consistent display representation for said selected application, thereby providing a stylized rendering of said selected application's interface in a uniform appearance and in which said selected application's interface for a plurality of said target devices can selectively be viewed simultaneously.*

*The claim limitation is read as one selection at a time, and providing a simultaneous and consistent display representation for said selected application (one) at a time. Argument, "a simultaneous viewing of the three target devices" as asserted by applicants does not read what it is recited in the limitation of claim 1. While the claim broadens and extends the scope, as recited above and in other independent claims provided with recitation "providing a simultaneous display, the limitations of the claim are read by certain features of the prior art. Figure 2 and Figure 3, reads the claim limitations. Moreover, Eisenstein's Figure 7, page 74, shows a selection in a Mobil phone's with up/down switches and browser options."*

In response, Applicants first submit that the significant claim limitation in this regard in, for example, claim 1, is the final portion of the claim: "... and in which said selected application's interface for a plurality of said target devices can selectively be viewed simultaneously."

The Examiner's interpretation above totally ignores the plain meaning of this final claim limitation.

Second, as Applicants keep repeating on the record, Figures 2, 3, and 7 of Eisenstein do not portray representations of target devices on a device simulator.

6. In the first two subparagraphs on page 4 of the Office Action, the Examiner states:

*"As regarding Claim 2, Applicants contend that the term "specific task" is used in Eisenstein describes different role.*

*Examiner respectfully responds: Claim 2 is further limitation of limitation "display representation" (Claim 2 recites: "wherein said display representation is synchronized, thereby providing a simultaneous update of all of said selected target device representation..."). While Applicants broaden the claim, the interpretation of "synchronized" is read to the specification's definition. The specification defines that*

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*"synchronized" means any change to the device-independent specification will reflect in all views simultaneously. In this definition, the "specific task" meets the limitation because it provides tailoring the model representation accordingly. Moreover, Eisenstein discloses, "display representation is synchronized", in many features. For example, the Mediator as shown in Figure 3 can be used to determine the screen resolution (See page 72, right column, first paragraph). Thus, if there is any change, it will adjust the display of the representation model in accordance to a screen resolution. The specific task (Figure 5) and the Mediator (Figure 3) will tailor the model representation accordingly."*

In response, Applicants submit that the definition in claim 2 is totally consistent with that of the specification, at lines 16-17 of page 2: "The term "synchronized" means that any changes to the device-independent specification will reflect in all views simultaneously". Figure 2 shows the concept for three target devices 22,23,24, and the discussion at lines 5-18 of page 9 for this figure indicates that a "view" is intended to mean the representation of a target device. However, it is noted, as described in a number of claims, that the concept of a "view" applies, as a broader concept, to each of multiple views of a single target device. Both these interpretations are fully consistent with the definition in the specification.

As Applicants explained in the previous Amendment, to one of ordinary skill in the art, the "specific tasks" concept of Eisenstein has nothing to do with synchronization between the representations of multiple target devices being shown on a single display of a simulator.

The Examiner introduces the discussion on page 72 of the mediator as allegedly related to synchronization. However, Applicants submit that, to one of ordinary skill in the art, this discussion to a basic modeling technique in which a mediator agent automatically finds the correct presentation so that the screen is essentially filled. This is an entirely different concept from that of automatically updating representations of all of a plurality of target devices shown on a single display screen and has no reasonable relevance to the plain meaning of the claim language.

7. Based on the Examiner's concern that Applicants have properly failed to address each claim and in order to prepare for Appeal, Applicants point out the deficiencies of Eisenstein for each of the claims, as follows.

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For claim 1:

Applicants submit that Eisenstein fails to show providing a simultaneous display for a plurality of target devices. The Examiner relies on Figure 5, which shows a mapping of platform elements onto high-level task elements. Applicants submit that one of ordinary skill in the art would not consider this modeling concept as being related in any reasonable way to the concept of having a representation of a plurality of target devices on a same simulator display, such as shown in Figure 2 of the Application.

Applicants further submit that one of ordinary skill in the art would not agree that Eisenstein's term "stylistic choices" can reasonably be understood as having any significance except a reference to specific design choices for a specific target device. This concept is contrary to the meaning of "stylistic rendering" of the present invention in which the design details are purposely hidden in order to present a commonality for the plurality of target device representations shown on a single page (e.g., as shown in Figure 2 of the Application and discussed on page 8 of the specification).

Moreover, the discussion on resolution issues, beginning on the right column of page 71, does not reasonably suggest the technique of intentionally hiding details of the target device display.

Hence, turning to the clear language of the claim, in Eisenstein there is no teaching or suggestion of: "A method for emulating on a single display platform an application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said method comprising: combining a selected one or more of said device characteristics and a selected one of said application formal descriptions; and providing a simultaneous and consistent display representation for said selected application, thereby providing a stylized rendering of said selected application's interface in a uniform appearance and in which said selected application's interface for a plurality of said target devices can selectively be viewed simultaneously."

For claim 2:



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Applicants submit that, since Eisenstein fails to show a plurality of representations on a single display (e.g., see Figure 2 of the Application), it inherently fails to demonstrate the technique of synchronization between the views.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said display representation is synchronized, thereby providing a simultaneous update to all of said selected target device representations when information in a device-independent portion of said formal description is changed."

For claim 3:

Applicants submit that Eisenstein fails to show "stylistic rendering" of the present invention in which the design details are purposely hidden in order to present a commonality for the plurality of target device representations shown on a single page (e.g., as shown in Figure 2 of the Application and discussed on page 8 of the specification).

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... providing a stylized rendering of said application's interface."

For claim 4:

Applicants submit that, since Eisenstein fails to show a plurality of representations on a single display (e.g., see Figure 2 of the Application), it inherently fails to demonstrate the technique of simultaneous views of a plurality of emulated target devices.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... selecting certain of said plurality of target devices to emulate; and providing a simultaneous and consistent display representation for said application, thereby providing a stylized rendering of said application's interface in a uniform appearance and in which the application's interface for said selected plurality of said target devices can selectively be viewed simultaneously."

For claim 5:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a device simulator, let alone a plurality of representations on a single display (e.g., see Figure 2 of the Application), it inherently fails to demonstrate the technique of simultaneous views of a plurality of emulated target devices.

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Even if the claim language is interpreted as the specific instance of a single target device being displayed, the limitation of the "stylized representation" is not taught or reasonably suggested in Eisenstein, as discussed above.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "A method to emulate on a single display platform an appearance of a user-interface of any of at least one application as it would appear on a plurality of target device, wherein a set of device characteristics for any said target device to be emulated and a formal description of any said application to be emulated is available in a memory, said method comprising: retrieving from said memory a device-independent specification information for a user interface for a selected application; retrieving from said memory a device-dependent information for said selected application for a selected one or more of said target devices; and combining said device-independent specification information and said device-dependent information into a single format for a stylized representation on a display device."

For claim 6:

Applicants submit that, since Eisenstein fails to show a plurality of representations on a single display (e.g., see Figure 2 of the Application), it inherently fails to demonstrate the technique of ability to selectly view a single one of the plurality of emulated target devices, let alone the entire plurality of target devices.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... forming said display device presentation such that said stylized representation of said plurality of target devices can selectively be viewed on said display device individually or in a simultaneous view involving more than one said target device stylized representation."

For claim 7:

Applicants submit that, since Eisenstein fails to show a plurality of representations on a single display (e.g., see Figure 2 of the Application), it inherently fails to demonstrate the technique of synchronizing the views for a plurality of emulated target devices when changes are made.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said combining of said device-independent model information and

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said device-dependent information is synchronized, thereby causing all said simultaneous views to simultaneously change whenever said device-independent specification information is changed."

For claim 8:

Applicants submit that, since Eisenstein fails to show a plurality of representations on a single display (e.g., see Figure 2 of the Application), it inherently fails to demonstrate the technique of using a single abstract format for a plurality of views.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said single format is used to render an abstract representation of said appearance of said user-interface for said selected target device."

For claim 9:

Applicants submit that, since Eisenstein fails to show a single format, it inherently fails to demonstrate the technique of using a polygonal area as such abstract format.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said abstract representation comprises a polygonal area for each of a user-interface entity in said user-interface."

For claim 10:

Applicants submit that, since Eisenstein fails to show a single abstract format, it inherently fails to demonstrate the technique described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said abstract representation comprises a text field describing a generic content of each of a user-interface entity in said user-interface."

For claim 11:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, it inherently fails to demonstrate the technique described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said selected application comprises a plurality of views for said user interface."

For claim 12:

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Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device, it inherently fails to demonstrate the technique described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said presentation can provide a simultaneous view of more than one view of said application user interface."

For claims 13 and 14:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the technique described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said more than one view is presented in one of the following formats: a tiled layout; a cascaded layout; and a one-at-a-time layout having operator selection to select a view."

For claims 15 and 16:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the technique described in the means-plus-function coverage of the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "A system to emulate on a single display an application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said system comprising: means for combining a selected one or more of said device characteristics and a selected one of said application formal descriptions; and means for providing a simultaneous and consistent display representation for said selected application."

For claim 17 and 19:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of

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target devices, it inherently fails to demonstrate the components described in the claim or a computer medium having instructions for a target device simulation apparatus.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "An apparatus to emulate on a single display an application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said apparatus comprising: a layout generator for combining a selected one or more of said device characteristics and a selected one of said application formal descriptions; and a layout manager for providing a simultaneous and consistent display representation for said selected application."

For claims 18 and 20:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the synchronization described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "... wherein said layout generator further synchronizes said display representation when information in a device-independent portion of said formal description is changed."

For claim 21:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the computer medium described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "A signal-bearing medium tangibly embodying a program of machine- readable instructions executable by a digital processing apparatus to emulate on a single display and application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said set of instructions comprising: combining a selected one or more of said device characteristics and a selected one of said application formal descriptions; and providing a simultaneous and consistent display representation for said

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selected application, thereby providing a stylized rendering of said selected application's interface in a uniform appearance and in which said selected application's interface for a plurality of said target devices can selectively be viewed simultaneously."

For claim 22:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the computer medium described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "A signal-bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to emulate on a single display an application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said set of instructions comprising: combining device characteristic information for said target device and a formal description information for said application; and providing a stylized rendering of said application's interface."

For claim 23:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the computer medium described in the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "A signal-bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to emulate on a single display an application's user interface as it would appear on each of a number of target devices, given stored in a memory a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said set of instructions comprising: retrieving from said memory a device-independent specification information for a user interface for a selected application; retrieving from said memory a device-dependent information for said selected application for a selected one or more of said target devices; and combining said device-independent specification information and said device-dependent information into a single format for a stylized representation on a display device."

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For claim 24:

Applicants submit that, since Eisenstein fails to show a concrete embodiment of a target device simulation, let alone a plurality of views of a single target device or a plurality of target devices, it inherently fails to demonstrate the computer medium described in means-plus-function scope defined by the claim.

Hence, turning to the clear language of the claims, in Eisenstein there is no teaching or suggestion of: "A signal-bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to emulate on a single display an application's user interface as it would appear on each of a number of target devices, given stored in a memory a set of device characteristics for any device to be emulated and a formal description of one or more applications to be emulated, said set of instructions comprising: means for combining a selected one or more of said device characteristics and selected one of said application formal descriptions; and means for providing a simultaneous and consistent display representation for said selected application."

### III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-24, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

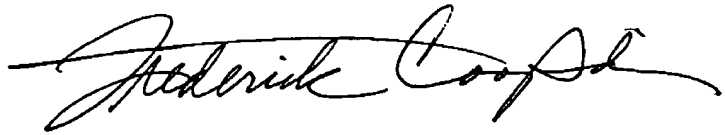
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: 4/29/04

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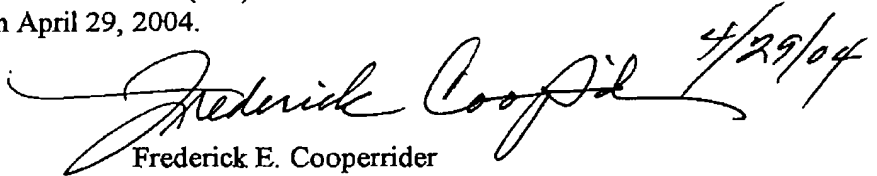
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CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 this Amendment under 37 CFR §1.116 to Examiner T. Vo on April 29, 2004.



Frederick E. Cooperrider  
Reg. No. 36,769